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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 AMANA GLOBAL COMPANY, a sole  
11 proprietorship company, and HAFID  
TAHROUI, an individual,

12 Plaintiffs,

13 v.

14 KING COUNTY, et al.,

15 Defendants.  
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Case No. C21-637-RSM

ORDER DENYING MOTION FOR  
RECONSIDERATION

17 This matter comes before the Court on pro se Plaintiffs' Motion for Reconsideration  
18 regarding the Court's Order denying Plaintiffs' Motion for a Temporary Restraining Order  
19 ("TRO"). Dkt #18. Mr. Tahroui argues the Court "overlooked Plaintiff's alleged constitutional  
20 rights violations, and the argument that there exists a presumption of irreparable harm where  
21 the violation of a constitutional right is alleged." *Id.* at 1. (citing *Jolly v. Coughlin*, 76 F.3d  
22 468, 482 (2d Cir. 1996)). Mr. Tahroui argues that "the dispossession of his property will  
23 certainly put him out of business thereby causing him severe emotional distress, in addition to  
24 financial hardship" and that this constitutes irreparable harm. *Id.* at 2. Responding to the  
25 Court's concern about subject matter jurisdiction, he argues that the "issue in this action, is  
26 about Plaintiff's right to relocation assistance under the [Uniform Relocation Act], which the  
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1 state court specifically preserved for other forum like this court. However, the issue in state  
2 court is about the writ of restitution and nothing else.” *Id.* at 3.

3 “Motions for reconsideration are disfavored.” LCR 7(h)(1). “The court will ordinarily  
4 deny such motions in the absence of a showing of manifest error in the prior ruling or a  
5 showing of new facts or legal authority which could not have been brought to its attention  
6 earlier with reasonable diligence.” *Id.*

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8 The Court did not overlook Mr. Tahroui’s constitutional claims. However, his Motion  
9 referenced such claims mainly to justify this Court’s jurisdiction, *see* Dkt. #2 at 17 and 21, an  
10 issue which the Court has deferred ruling on given the limited briefing on the subject and the  
11 emergency nature of the requested relief. The TRO Motion failed to articulate how alleged  
12 constitutional violations constitute irreparable harm in this case, other than by merely saying it  
13 was so. Instead, the Motion focused on the harms of being separated from personal property  
14 and the possibility of having industrial equipment sold at auction. These harms, as presented,  
15 are not irreparable. Even now it is unclear whether Mr. Tahroui was seeking to stop  
16 Defendants from enforcing the state court eviction or to obtain monetary relief related to  
17 relocation, or some mixture thereof (see below). Because Mr. Tahroui had the burden to  
18 demonstrate irreparable harm, this lack of clarity cuts against granting the Motion. Merely  
19 pleading constitutional claims is not a basis for obtaining immediate relief from otherwise  
20 reparable harm.  
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24 “Severe emotional distress” was not argued in the original TRO Motion, is not an  
25 inherent injury from being locked out of one’s business property, and could have been brought  
26 to the Court’s attention earlier with reasonable diligence. In any event, the Court would be  
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1 unlikely to find emotional distress sufficiently established as a harm based on a few sentences  
2 in briefing.

3         Given all of the above, the Court finds that Mr. Tahroui has failed to demonstrate  
4 manifest error in the prior ruling or a showing of new facts or legal authority which could not  
5 have been brought to its attention earlier with reasonable diligence. Accordingly, this Motion  
6 will be denied.  
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8         Although not necessary for ruling on this Motion, the Court wishes to address Mr.  
9 Tahroui's statement that the issue here is his right to relocation assistance under the URA,  
10 unlike the state court action which is about the writ of restitution. This stands in stark contrast  
11 to the Complaint where it is alleged that the URA "preempts the unlawful detainer statute" and  
12 that Mr. Tahroui is "entitled to an immediate injunction requiring Defendants to stop further  
13 execution of the writ of restitution and restore possession to Plaintiff." Dkt. #1 at 6-7. If this  
14 case was really just about the URA, then the harm at issue—relocation assistance—would not  
15 require emergency relief and could likely be redressed by an award at the end of this case. Mr.  
16 Tahroui's attempts to distinguish this case from the state court action further cut against the  
17 granting of a TRO, or a finding that the Court's prior ruling contained manifest error.  
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20         Having considered the briefing and the remainder of the record, the Court hereby finds  
21 and ORDERS that Plaintiffs' Motion for Temporary Restraining Order, Dkt. #18, is DENIED.  
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24         DATED this 19<sup>th</sup> day of May, 2021.

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27         RICARDO S. MARTINEZ  
28         CHIEF UNITED STATES DISTRICT JUDGE